

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF WEST VIRGINIA

ALFREDO NIETO REYES,

Plaintiff,

vs.

**JUDGMENT IN A CIVIL CASE**

Civil Action No.5:05-cv-71

UNITED STATES OF AMERICA,

Defendant.

- ☐ **Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.
- ☒ **Decision by Court.** This action came before the Court. The issues have been considered and a decision has been rendered.

**IT IS ORDERED AND ADJUDGED**, pursuant to F.R.C.P. 58, that a judgment be entered.

It is therefore

**ORDERED AND ADJUDGED** that this Court Affirms and Adopts the Magistrate Judge's Report and Recommendation in its entirety. The Petitioner's 28 U.S.C. § 2241 Petition is DENIED. This civil action is DISMISSED WITH PREJUDICE and STRICKEN from the active docket of this court.

Wally Edgell, Clerk

By

  
Deputy Clerk

Dated this 26<sup>th</sup> day of October 2005